

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION

CHAMBER SUMMONS 248 OF 2006
IN
WRIT PETITION NO.1371 OF 2006.

The New Patel Compound Co-op.
Society & Ors. ..Petitioners

versus

S.R.A. & Others ..Respondents

Mr. Shailesh Shah i/b. V.R.Tripathi & Associates for
the Petitioner

Mr.G.V.Utangale for the Respondent No.1.
Mr. M. More AGP for the Respondent No.3.
Mrs.A.K.Savle for Respondent No.2.
Mr. H.S.Anand for Respondent No.4.

Coram : F.I.Rebello &
S.R.Sathe, JJ.
Dated : 8th Sept, 2006

P.C.

. Heard the parties. Considering that the
amendment sought is based on subsequent events,
Chamber Summons made absolute in terms of prayer
clause (a) and (b).

. Amendment to be carried out within two weeks
from today.

(F.I.REBELLO, J.)

(S.R.SATHE, J.)

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
CHAMBER SUMMONS 259 OF 2006
IN
WRIT PETITION NO.1371 OF 2006.

The New Patel Compound Co-op.
Society & Ors. ..Petitioners

versus

S.R.A. & Others ..Respondents

and

Upper Jilhadhikari (Enc/Evi) ..Prop.Respondent

Mr. Shailesh Shah i/b. V.R.Tripathi & Associates for
the Petitioner

Mr.G.V.Utangale for the Respondent No.1.

Mr. M. More AGP for the Respondent No.3.

Mrs.A.K.Savle for Respondent No.2.

Mr. H.S.Anand for Respondent No.4.

Coram : F.I.Rebello &
S.R.Sathe, JJ.

Dated : 8th Sept, 2006

P.C.

. Heard the parties. Considering that the
amendment sought is based on subsequent events,
Chamber Summons made absolute in terms of prayer
clause (a).

. Amendment to be carried out within two weeks
from today.

(F.I.REBELLO, J.)

(S.R.SATHE, J.)

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
WRIT PETITION NO.1371 OF 2006.

The New Patel Compound Co-op.
Society & Ors.

..Petitioners

versus

S.R.A. & Others

..Respondents

Mr. Shailesh Shah i/b. V.R.Tripathi & Associates for
the Petitioner

Mr.G.V.Utangale for the Respondent No.1.

Mr. M. More AGP for the Respondent No.3.

Mrs.A.K.Savle for Respondent No.2.

Mr. H.S.Anand for Respondent No.4.

Coram : F.I.Rebello &
S.R.Sathe, JJ.

Dated : 8th Sept, 2006

P.C.

. Notice of Motion was on the board. By
consent of parties the main petition is taken up for
hearing.

. Rule. Heard forthwith.

. The main grievance of the petitioner herein
is that Annexure II has been issued to the society
who did not have support of 70% of the slum
dwellers. The contention of the petitioners is that
85 slum dwellers have filed affidavits contending
that their signature was not taken at all.

. On the other hand the respondent No.4 has pointed out that the petitioner Nos.2, 3 and 4 have been held to be ineligible. Petitioner Nos.5 and 6 have been held to be eligible and have shifted.

. Considering the controversy in the present case in our opinion the ends justice will be met if respondent No.1 is directed to hear the petitioner society. The society in whose favour the Annexure was issued as also the developer respondent No.4 and thereafter pass appropriate order according to law. The matter be heard and disposed off not later than eight weeks from today.

. In respect of those who are willing to shift, there will be no interim relief. Those who are not willing to be shifted, their structures will not be demolished for a period of eight weeks from today.

. Rule made absolute accordingly. No orders as to costs.

(F.I.REBELLO, J.)

(S.R.SATHE, J.)

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION

CHAMBER SUMMONS .498 OF 2006
IN
WRIT PETITION NO.1371 OF 2006.

The New Patel Compound Co-op.
Society & Ors. ..Petitioners

versus

S.R.A. & Others ..Respondents

Mr. Shailesh Shah i/b. V.R.Tripathi & Associates for
the Petitioner

Mr.G.V.Utangale for the Respondent No.1.
Mr. M. More AGP for the Respondent No.3.
Mrs.A.K.Savle for Respondent No.2.
Mr. H.S.Anand for Respondent No.4.

Coram : F.I.Rebello &
S.R.Sathe, JJ.
Dated : 8th Sept, 2006

P.C.

. As the petition is disposed of the motion
has become infructuous. Hence disposed accordingly.

(F.I.REBELLO, J.)

(S.R.SATHE, J.)